

ORIGINAL

Serial No. **45990**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATEDDate of filing in State Engineer's Office **JUL 30 1982**Returned to applicant for correction **SEP 28 1982**Corrected application filed **NOV 16 1982** Map filedThe applicant EDWIN W. and IRMA BETH BODILYEast Second Street of Winnemucca  
Street and No. or P.O. Box No. City or TownNevada 89445 hereby make application for permission to change the  
State and Zip Code No.Point of Diversion  
Point of diversion, manner of use, and/or place of useof water heretofore appropriated under Permit Number 35477  
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

(Identify right in Decree.)

1. The source of water is underground.  
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed .0696 c.f.s.  
Second feet, acre feet, One second foot equals 448.83 gallons per minute.
3. The water to be used for irrigation and domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for irrigation and domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point within the Northwest  $\frac{1}{4}$  Southwest  $\frac{1}{4}$  of Section 16,  
Describe as being within a 40-acre subdivision of public survey and by course and  
T.36N., R.38E., M.D.B.&M., or at a point from which the Southwest corner of Section  
distance to a section corner. If on unsurveyed land, it should be stated.  
16 bears S16°29'W 1,711'.
6. The existing permitted point of diversion is located within the Southeast  $\frac{1}{4}$  Southeast  $\frac{1}{4}$  of Section  
If point of diversion is not changed, do not answer.  
17, T.36N., R.38E., M.D.B.&M., or at a point from which the Southeast corner  
of Section 17 bears S60°36' E 1,207'.
7. Proposed place of use unchanged  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use Southeast  $\frac{1}{4}$  Southeast  $\frac{1}{4}$  of Section 17, T.36N., R.38E., M.D.B.&M.  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
8.53 acres.  
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from January 1st to December 31st of each year.  
Month and Day Month and Day
10. Use was permitted from January 1st to December 31st of each year.  
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) Drilled well, pipeline and rolling sprinkler  
State manner in which water is to be diverted, i.e. diversion structure, ditches,  
line  
pipes and flumes, or drilled well, etc.
12. Estimated cost of works in excess of \$1,000.00
13. Estimated time required to construct works Complete. See well log filed under Application  
17362, Cert. 5087.

14. Estimated time required to complete the application of water to beneficial use one (1) year

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The well at the existing point of diversion did not produce sufficient quantity of water and pump it uphill to the place of use.

JOHN H. MILTON, III, R.L.S., S.W.R.S., AGENT  
By s/ John H. Milton III  
146 West Second Street  
Winnemucca, Nevada 89445-3493

Compared ds/bl bc/bl

Protested \_\_\_\_\_

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 35477 is issued subject to the terms and conditions imposed in said Permit 35477 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the Proof of Completion of Work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The total combined amount of water granted under this permit and Permits 45991 and 17362 is limited to what the well covered under the three permits is capable of producing. If certificates of appropriation are issued under this permit and Permits 45991 and 17362, the total combined amount of appropriation granted in said certificates shall not exceed what the well covered under the three permits is capable of producing.

This permit is limited to irrigation of 8.53 acres.

The issuance of this permit corrects the annual duty from 4.0 acre-feet per acre issued under Permit 35477 to 3.0 acre-feet per acre which was issued under Permit 22034, Certificate 7569. Permit 35477 changed the point of diversion and place of use of a portion of Permit 22034, Certificate 7569.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not

to exceed 0.0696 cubic feet per second, but not to exceed a yearly duty of 3.0 acre-feet per acre of land irrigated from any and/or all sources, and not to exceed 25.59 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before July 21, 1984

Proof of completion of work shall be filed before August 21, 1984

Application of water to beneficial use shall be made on or before July 21, 1986

Proof of the application of water to beneficial use shall be filed on or before August 21, 1986

Map in support of proof of beneficial use shall be filed on or before August 21, 1986

Completion of work filed SEP 12 1984 IN TESTIMONY WHEREOF, I, PETER G. MORROS,

Proof of beneficial use filed SEP 15 1987 State Engineer of Nevada, have hereunto set my hand and the seal of

Cultural map filed NOV 16 1982 my office, this 21st day of JULY,

Certificate No. 12788 Issued APR 19 1991 A.D. 1983

 P. G. Morros  
State Engineer